

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

In the Matter of

DEUTSCHE BANK NATIONAL TRUST
COMPANY,

Plaintiffs,

v.

GEROD PARKER, ET AL.,

Defendants.

Civil Action No.: 14-3074 (JLL)(JAD)

ORDER

LINARES, District Judge.

This matter comes before this Court, by way of Defendant Gerod Parker (“Defendant”)’s objection to a Report and Recommendation issued by the Honorable Joseph A. Dickson, United States Magistrate Judge, pursuant to Federal Rule of Civil Procedure 72(b)(2). This matter came before Magistrate Judge Dickson, on the Court’s own motion, after the Court’s review of Defendant’s Notice of Removal, (ECF No. 1), as well as Defendant’s letter in response to the Court’s Order to Show Cause, (ECF Nos. 6,7), and Memorandum in Opposition to Remand. (ECF No. 8). On June 5, 2014, Magistrate Judge Dickson ordered Defendant to provide a copy of the Complaint that Plaintiff Deutsche Bank Nation Trust Company (“Plaintiff”) filed in New Jersey Superior Court and to provide a brief explaining why this case should not be remanded for


lack of subject matter jurisdiction. (Order to Show Cause, ECF No. 3). On July 22, 2014, Magistrate Judge Dickson filed a Report and Recommendation in which he recommended that this Court *sua sponte* remand this case to New Jersey Superior Court because Defendant failed to establish that the District Court had subject matter jurisdiction. On August 1, 2014, Defendant filed an Objection to Magistrate Judge Dickson's Report and Recommendation. (ECF No. 13). The Court decides this matter without oral argument pursuant to Federal Rule of Civil Procedure 78. For the reasons set forth in this Court's corresponding Opinion,

IT IS on this 28 day of August, 2014,

ORDERED that the Report and Recommendation of Magistrate Judge Dickson, filed on July 22, 2014 [Docket Entry No. 11], is hereby **ADOPTED** as the findings of fact and conclusions of law of this Court; and it is further

ORDERED that this matter is hereby *sua sponte* **REMANDED** to New Jersey Superior Court.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge